

This instrument was prepared by:

Name:

Address:

(Space reserved for Clerk)

DECLARATION OF USE
FOR GUEST HOUSE

In consideration of the issuance of a **building permit**, as hereinafter described, the undersigned Owner of the property herein designated, hereby agrees and binds myself, and my heirs, successors and assigns as follows:

That the property hereinafter described shall be used for single family residential use only. The plans submitted and attached to the application for a guest house as defined in Section 33-1(54) of the Code of Miami-Dade County are designed and intended for such use only, and said guest house will not be occupied year around, only nonpaying and personal guests of the occupant of the principal residence shall occupy the guest house, nor shall I, or we, occupy the guest house and rent or lease the principal residence.

On Lot ____ Block ____ of _____ P.B. ____ Pg.
____ of the Public Records of Miami-Dade County, Florida.

_____ Also known as
_____ Miami-Dade County, Florida.

This agreement is hereby made and accepted as a condition of the issuance of a building permit for:

A guest house in connection with a principal residence existing on the property.

[f:\forms\declaration-guesthouse (12/12/12)]

Section-Township-Range:

Folio number:

Covenant Running with the Land. It is further understood and agreed that this agreement shall be deemed a covenant running with the land and may be recorded, at Owner's expense, in the Public

Records of Miami-Dade County, Florida, shall remain in full force and effect and be binding upon the undersigned, Owner, their heirs, successors and assigns until such time as the same may be released in writing by the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or the executive officer of the successor of such department or, in the absence of such director or executive officer, by his assistant in charge of the office in his absence.

County Inspection. As further part of this agreement, it is hereby understood and agreed that any official inspector of Miami-Dade County or its agents duly authorized, may have the privilege at any time of entering and investigating the use of the premises, to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit, pertaining to or arising out of this declaration, shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

The Owner understands and acknowledges that, pursuant to Chapter 8CC of the Code of Miami-Dade County, each verified violation of the approved use will result in the issuance of a ticket with a fine of \$500.00 for each day the violation exists. Unpaid fines will become a lien on the property.

[EXECUTION PAGES FOLLOW]